

United States District Court  
for the  
Southern District of New York  
Related Case Statement

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Full Caption of Later Filed Case:

David Liesen

Plaintiff

Case Number

vs.

Civ. A. No. 1:21-cv-10128

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International Business Machines  
Corporation

Defendant

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

IN RE: IBM ARBITRATION AGREEMENT  
LITIGATION

Plaintiff

Case Number

vs.

Civ. A. No. 1:21-cv-06296

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International Business Machines  
Corporation

Defendant

IH-32

Rev: 2014-1

## Status of Earlier Filed Case:

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Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)

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Open

(If so, set forth procedural status and summarize any court rulings.)

IN RE: IBM ARBITRATION AGREEMENT LITIGATION (Civ. A. No 1:21-cv-06296 before Judge Jesse M. Furman) is a request for declaration filed in the Southern District of New York on July 23, 2021. Plaintiffs filed a Motion for Summary Judgment on October 27, 2021 that is pending a ruling from Judge Furman.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

Both cases, IN RE: IBM ARBITRATION AGREEMENT LITIGATION and David Liesen v. IBM, involve claims of age discrimination brought against IBM pursuant to the Age Discrimination in Employment Act, as amended ("ADEA"), 29 U.S.C. § 621 et seq. Plaintiffs in both cases are requesting a declaration that IBM's confidentiality provision in its arbitration agreement is not enforceable.

Signature: /s/Shannon Liss-Riordan  
Lichten and Liss-Riordan, P.C.

Date: 11/29/2021

Firm: \_\_\_\_\_